IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

TRUSTEES OF THE STONE AND MARBLE MASONS OF METROPOLITAN WASHINGTON, D.C. PENSION TRUST FUND, et al.	:	
v.	:	Civil Action No. DKC 2004-1610
NORTHERN VIRGINIA CAULKING AND RESTORATION, INC.	:	

MEMORANDUM OPINION

Presently pending and ready for resolution are Plaintiffs' motions to reopen and the motion to withdraw as attorney filed by counsel for Defendant. All motions are unopposed.

The parties reached a settlement in this case and it was dismissed without prejudice to Plaintiffs' right to reopen in the event of material breach. Plaintiffs contend that such a material breach has occurred and Defendant has not objected. Accordingly, Plaintiffs' motions will be granted.

Counsel for Defendant filed a motion to withdraw, reciting that they have been unable to locate or communicate with Defendant, but that they sent a letter to its last known address, advising Defendant of their intent to file the motion. Thus, counsel have complied with Local Rule 101.2.b, Withdrawal of Appearance, which provides:

> b. Parties Other Than Individuals

> In the case of any party other than an individual, including corporations, partnerships, unincorporated associations and government entities, appearance of counsel may be withdrawn only with leave of Court and if (1) appearance of other counsel has been entered, or (2) withdrawing counsel files a certificate stating (a) the name and last known address of the client, and (b) that the written notice has been mailed to or otherwise served upon the client at least five days previously advising the client of counsel's proposed withdrawal and notifying it that it must have new counsel enter an appearance or be subject to the dismissal of its claims and/or default judgment on claims against it. In the event that within thirty days of the filing of the motion to withdraw, new counsel has not entered an appearance, the Court may take such action, if any, that it deems appropriate, including granting the motion to withdraw and dismissing any affirmative claim for relief asserted by the party and/or directing the party to show cause why a default should not be entered on claims asserted against it.

Thus, inasmuch as more than thirty days have passed since the filing of the motion and no new counsel has appeared, the appearance of counsel for Defendant will be stricken and Defendant will be ordered to show cause why a default should not be entered on the claims asserted against it. A separate order will be entered.

/s/
DEBORAH K. CHASANOW
United States District Judge

May 4, 2005